



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE  
Southeast Regional Office  
263 13<sup>th</sup> Avenue South  
St. Petersburg, Florida 33701

October 6, 2005

F/SER46/RH:jk  
225/389-0508

Mr. Donald Silawsky  
Office of Petroleum Reserves, (FE-47)  
1000 Independence Avenue, S.W.  
Washington, DC 20585-0301

Dear Mr. Silawsky:

NOAA's National Marine Fisheries Service (NMFS) has reviewed your letters dated September 13, 2005, to our field offices in Baton Rouge, Louisiana, Galveston, Texas and Panama City, Florida related to the proposed expansion of the strategic petroleum reserves (SPR) at West Hackberry and Bayou Choctaw, Louisiana, and Big Hill, Texas. Additionally, one new site would be developed at Clovelly or Chacahoula, Louisiana; Richton, Mississippi, or Stratton Ridge, Texas. The expansion is planned to increase the current capacity of the SPR system from 727 million barrels to 1 billion barrels. Your letters transmitted limited information regarding potential project features, as well as maps identifying the general location of the existing and proposed SPR facilities. You indicated in your letters that the Department of Energy intended to prepare an Environmental Impact Statement (EIS) for this action and that they intended to use the National Environmental Policy Act (NEPA) process to comply with coordination requirements of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and the Marine Mammal Protection Act.

According to your letters and the information they transmitted, expansion activities would include the creation of oil storage caverns located from 1,000 to 6,000 feet underground, the release of concentrated brine via diffusers in the Gulf of Mexico, construction of surface buildings, and the installation of pipelines to move brine and crude oil from the SPR sites to various distribution points. Some aquatic and tidally influenced wetland habitats potentially impacted by SPR expansion activities are designated as essential fish habitat (EFH) for postlarval, juvenile and subadult life stages of white shrimp, brown shrimp, and red drum; juvenile Spanish mackerel; and juvenile and adult bluefish. Categories of EFH in the project area include estuarine emergent wetlands; mud, sand and shell substrates; submerged aquatic vegetation, and estuarine and marine water column. Detailed information on federally managed fisheries and their EFH is provided in the 1998 generic amendment of the Fishery Management Plans for the Gulf of Mexico prepared by the Gulf of Mexico Fishery Management Council (GMFMC). The generic amendment was prepared as required by the Magnuson-Stevens Act.

To fully address EFH and associated fisheries in the project area, NMFS recommends the EIS include sections titled "Essential Fish Habitat" and "Marine Fishery Resources" that identify fisheries resources of the project area and describe the potential adverse impacts associated with



the proposed expansion activities. The recommended EFH section of the document should describe and quantify the potential impacts of the proposed alternatives on EFH sub-categories (e.g., marsh edge, marsh ponds, submerged aquatic vegetation, mud bottoms, tidal creeks, water column, etc.). In addition, this section should describe the potential impacts of the proposed project on the utilization of these sub-categories of EFH by each fishery species and life stage listed above.

In addition to being designated as EFH for the species listed above, waterbodies and wetlands in tidally-influenced portions of the project areas provide nursery and foraging habitats supportive of a variety of economically important marine fishery species, such as striped mullet, Atlantic croaker, gulf menhaden, spotted and sand seatrout, southern flounder, black drum, and blue crab. Some of these species also serve as prey for other fish species managed under the Magnuson-Stevens Act by the GMFMC (e.g., mackerels, snappers, and groupers) and highly migratory species managed by NMFS (e.g., billfishes and sharks). We recommend the EIS fully describe the use of the various project areas by these species and evaluate the potential impacts of project implementation on marine fishery utilization of wetlands and water bottoms at each SPR site and pipeline construction zone.

No information was provided with your memorandum regarding the likely routes of all pipelines that would be used to discharge brine into the Gulf of Mexico or transport crude oil to distribution hubs. The exact alignment of all pipelines and locations of discharge outfalls should be coordinated with NMFS and other natural resource and regulatory agencies to ensure impacts to wetlands and fishery species are avoided and minimized to the maximum extent practicable. In addition, wetland restoration projects constructed under the auspices of the Coastal Wetlands Planning, Protection and Restoration Act (CWPPRA) are located in the vicinity of the various SPR sites in Louisiana. All expansion activities should be planned to avoid impacting constructed features of any CWPPRA project. For more information on CWPPRA projects that may be adversely impacted by SPR expansion activities, you may want to review the CWPPRA web site at [www.lacoast.gov](http://www.lacoast.gov). Any EIS developed for this project should include those alternatives that best avoid and minimize adverse wetland impacts.

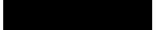
The NMFS recommends the EIS include a section titled "Mitigation" that discusses sequential measures to avoid, minimize, and offset impacts to wetlands. Section 1508.20 of the Council on Environmental Quality's regulations implementing NEPA defines mitigation as a sequencing process that should first attempt to avoid and minimize wetland impacts prior to developing compensatory mitigation options. Any compensatory mitigation plan to offset adverse impacts should be developed, in consultation with NMFS, and included in the EIS. The mitigation plan should include monitoring components, success criteria, and an identification of additional steps that might be necessary to ensure mitigation success.

The comments contained in this letter respond only to the portion of your request regarding EFH and the federally managed marine fishery resources for which EFH has been designated in the project area. This letter does not address threatened or endangered marine species or marine mammals, consultations for which are handled by the Protected Resources Division of NMFS.

Southeast Regional Office. The Protected Resources Division can be contacted at the following address and phone number:

David Bernhart  
Assistant Regional Administrator  
Protected Resource Division  
Southeast Regional Office  
National Marine Fisheries Service



We appreciate your consideration of our comments. If you wish to discuss this project further or have questions concerning our recommendations, please contact Richard Hartman at 



Sincerely,

A handwritten signature in black ink that reads "Richard Hartman".

for Miles M. Croom  
Assistant Regional Administrator  
Habitat Conservation Division

cc:  
FWS, Lafayette  
EPA, Dallas  
LA DWF  
LA DNR  
F/SER4, Bernhart  
F/SER46, Ruebsamen  
Files